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This comment is submitted in relation to Department of Labor Rule-making docket RIN 1210 AB 44, "Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services under the Patient Protection and Affordable Care Act.

The definition of "religious employer" should be expanded beyond that proposed in order to appropriately and adequately protect the conscientious rights of all religious organizations. As written, the conscientious clause for religious employers would leave outside its protection a wide group of religious organizations that provide important and significant social services to their communities, and force them either to cease providing health insurance coverage or violate their religious scruples. For instance, Catholic Charities and most Catholic hospitals would not, it seems to this commenter, meet all four of the conjunctive conditions in the rule to qualify as a religious employer. Catholic organizations often employ non-Catholics in accomplishing their religious mission -- for example, Jewish doctors might work at a Catholic hospital. Likewise, these employers often serve all in need, without restricting their services and charity solely to Catholics. Yet, because of this ecumenical approach to charity, they would fail to qualify as a religious employer, and not fall within the conscientious protection the rule provides.

Broader protections for the conscientious of religious organizations is an absolute necessity in order to protect and advance our American notions of religious freedom and free exercise. I urge the Department to broaden the religious conscientious clause protections of this rule to cover organizations such as religious institutions like Catholic universities and hospitals, as well as social services organizations such as Catholic Charities, Catholic Relief Services and the like.